

April 4, 2016

VIA IBFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Spire Global, Inc.
Satellite Bond Waiver Request
IBFS File No. SAT-LOA-20151123-00078, Call Sign S2946

Dear Ms. Dortch:

Spire Global, Inc. (“Spire”) hereby requests that the International Bureau (“Bureau”) grant a waiver of the bond requirement associated with the satellite authorization granted to Spire on March 18, 2016.¹ In the grant, the Bureau authorized Spire to construct, deploy, and operate nine of the 175 satellites requested by Spire for operation of its LEMUR constellation and imposed, as a condition to the license, the requirement that Spire post a \$5,000,000 bond for those nine satellites by April 18, 2016.²

The nine authorized satellites were part of the Cygnus payload onboard the Atlas V vehicle that was launched successfully on March 22, 2016 from Cape Canaveral, Florida.³ Cygnus subsequently berthed with the International Space Station (“ISS”) on March 25, 2016.⁴ Four of Spire’s authorized satellites will be unloaded from the Cygnus to the ISS and deployed into orbit from the ISS Multi-Purpose Experiment Platform in the upcoming weeks. The other five authorized Spire satellites, which are mounted on the external surface of the Cygnus, will remain on the Cygnus and be

¹ Stamp Grant, Spire Global, Inc., IBFS File No. SAT-LOA-20151123-00078 (granted Mar. 18, 2016 and corrected Mar. 25, 2016) (“Spire Grant”); see also Public Notice, Report No. SAT-01145 (Mar. 25, 2016).

² See Spire Grant ¶¶ 1, 6; see also 47 CFR § 25.164(b). The Bureau deferred action on the remainder of the satellites in the LEMUR constellation, and accordingly, the bond requirement is not currently applicable to those satellites.

³ See William Graham, *OA-6 Cygnus launched to the ISS via Atlas V*, NASASPACEFLIGHT.COM (Mar. 22, 2016); see also *Lemur-2*, GUNTER’S SPACE PAGE, http://space.skyrocket.de/doc_sdat/lemur-2.htm (last visited Mar. 30, 2016).

⁴ See Justin Ray, *Traveling Cygnus pulls into port at International Space Station*, SPACEFLIGHT NOW (Mar. 26, 2016), <https://spaceflightnow.com/2016/03/26/traveling-cygnus-pulls-into-port-at-the-international-space-station/>.

deployed into orbit, at an orbital altitude less than 400 km, after the Cygnus disengages with the ISS in a few months. Attached is a letter from the launch integrator, NanoRacks LLC, certifying to the facts stated above.

Spire submits that a waiver of the bond requirement is justified under these circumstances.⁵ The nine authorized satellites have been constructed already⁶ and are expected to be deployed shortly without any further action by Spire. Thus, grant of the waiver would not undermine the purpose of the bond requirement, to ensure that licensees proceed with the construction and launch of their satellites in a timely manner.⁷ Moreover, requiring Spire to incur financial costs and expend other resources associated with posting a multi-million dollar bond, which will be moot in several weeks, serves little purpose. For all of these reasons, the Bureau should grant this waiver request.⁸

Please contact the undersigned if you have any questions regarding this letter.

Respectfully submitted,

/s/ Trey Hanbury

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Enclosure

cc: (via email)
Karl Kensinger
Stephen Duall

⁵ See 47 C.F.R. § 1.3 (stating that the FCC may grant a waiver of its rules for good cause); see also *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969).

⁶ Accordingly, Spire has satisfied three of the FCC's five milestone requirements already. See 47 C.F.R. § 25.164(b).

⁷ See *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Report and Order, 28 FCC Rcd 12403 ¶ 40 (2013).

⁸ See *DIRECTV Enterprises, LLC*, Order and Authorization, 21 FCC Rcd 8028 ¶ 8 (2006) (noting that no bond was required if the satellite was launched within 30 days); see also *Inmarsat Mobile Networks, Inc.*, Order and Authorization and Declaratory Ruling, 30 FCC Rcd 2770 ¶ 31 (2015) (requiring the applicant to post only \$750,000 because three of the four milestones had already been met); *Loral Skynet do Brasil*, Order, DA 03-4095 ¶ 14 (rel. Dec. 23, 2003) (reducing the bond requirement to \$1.25 million since three of the four milestones had already been met).

Attachment – NanoRacks Certification



2 April 2016

Via E-mail

Ms. Jenny Barna
Spire Global, Inc.
33 Norfolk Street
San Francisco, CA 94103 USA

Re: Confirming Lemurs and Deployers on OA-6 for FCC

Dear Jenny

Four Lemurs arrived at the International Space Station (ISS) on March 25th 2016 on board an Orbital ATK Cygnus for deployment through the KIBO airlock at a later date.

In addition, between the time that same Cygnus departs the ISS and its re-entry there are plans to deploy five Lemurs from a NanoRacks deployer that is attached to the exterior of the Cygnus.

The deployers and the CubeSats were transported on the Cygnus via NanoRacks Space Act Agreement with NASA.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Christopher K. Cummins".

Christopher K. Cummins
Chief Commerce Officer
NanoRacks, LLC